IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 6404 of 2007(K)

PETITIONER:

V.S. GEORGE, S/O. SAMUEL,
VALIPLACKAL HOUSE, KUMBAZHA P.O.,
PATHANAMTHITTA.

BY ADV. SRI.A.INEES.

RESPONDENTS:
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1. **THE SECRETARY,**
   REGIONAL TRANSPORT AUTHORITY, PATHANAMTHITTA.

2. **SRI.MONCY MATHEW,**
   ALLUVILAPUTHENPURAYIL, VAZHAMUTTOM EAST P.O.,
   MALLASSERY, PATHANAMTHITTA.

BY GOVT. PLEADER SMT. M.K. PUZHPALATHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.6404 OF 2007-K

Judgment

The petitioner has been granted a permit on the route Pathanamthitta-V.Kottayam by the RTA, Pathanamthitta on 30.10.2006. The 2nd respondent was granted a permit on the route Pathanamthitta-Kodumon on the very same day. The timing conference for settling the time schedule of the petitioner's vehicle is notified to be held on 02.03.2007 and that of the 2nd respondent respondent on 01.03.2007. The petitioner submits, his item was item No.3 and that of the 2nd respondent was item No.12, when the matter was considered by the RTA on 13.12.2006. Therefore, the petitioner's time schedule should be settled first in preference to that of the 2nd respondent. Claiming this relief, the petitioner has preferred Ext.P5 representation before the 1st respondent and thereafter, this Writ Petition is filed seeking appropriate reliefs.

2. There is no provision in the Motor Vehicles Act or the Rules which supports the claim of the petitioner. In the absence of any legal right and a corresponding duty in the 1st respondent, this Court cannot issue any direction. If the petitioner is aggrieved by the time schedule granted to the 2nd respondent or to the petitioner's service, he can work out his remedy against the same by moving the STAT in revision. So, this Court need not interfere with the proceedings of the 1st respondent at this stage on the basis of the apprehended or anticipated grievance of the petitioner. Accordingly, the Writ Petition is dismissed.

26.02.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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